

## **FLOOD CONTROL ADVISORY BOARD**

### **MINUTES**

August 23, 2000

The regular monthly meeting of the Flood Control Advisory Board was called to order by Chairman Martin at 2:05 p.m. on Wednesday, August 23, 2000.

**Board Members Present:** Melvin Martin, Chair; Gilbert Rogers, Vice Chair; Shirley Long, Secretary; Hemant Patel; Mike Saager; Tom Callow, Ex Officio; Paul Cherrington, Ex Officio.

**Staff Members Present:** Mike Ellegood, Chief Engineer & General Manager; Julie Lemmon, General Counsel; Tom Johnson, Deputy Chief Engineer/Division Manager; Dick Perreault, CIP/Policy Branch Manager; Shanna Yager, Floodplain Administration Branch Manager; Tim Phillips, Project Manager; Marilyn DeRosa, Senior Planner; Scott Vogel, Project Manager; Joe Young, Chief Financial Officer; Doug Williams, Project Manager; Michael Lopez, Civil/Structures Branch Manager; Kathy Smith, Clerk of the FCAB; Monica Ortiz, Administrative Coordinator.

**Guests Present:** Mary Rose Wilcox, Maricopa County Board of Supervisors; Roger Baele, David Evans & Assoc.; Ray Dovalina, City of Phoenix; Ed Fritz, MCDOT; Lute Obaidi, Brooks, Hersey.

- 1) Approval of the Minutes of the regular meeting of June 28, 2000.

MR. PATEL MADE A MOTION TO APPROVE THE MINUTES AS SUBMITTED. MR. CHERRINGTON SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

- 2) Laveen Area Drainage Master Plan and Laveen Area Conveyance Channel.

Mr. Ellegood advised the Board that members of the Flood Control District staff, selected property owners, and representatives from the Salt River Project and the City of Phoenix have met in order to resolve some significant flooding issues in the Laveen area prior to its development.

Supervisor Wilcox began by thanking the Advisory Board for all the work they do on behalf of the Board of Supervisors. Supervisor Wilcox mentioned that the Laveen area has always been projected for massive growth and one of the things that must be dealt with is flood control. A flood control designation was never put in because it was thought it would stop development from occurring. She also mentioned that about seven months ago a meeting took place with landowners, Salt River Project and City of Phoenix to look at what could be done in this area. Supervisor Wilcox indicated that the Resolution being brought to them today is a result of

everybody pulling together to come up with a growth infrastructure plan for Laveen. Supervisor Wilcox expressed her thanks to everyone involved in this project and asked for the Advisory Board's support of this Resolution. She also mentioned that City of Phoenix Vice Mayor Lingner couldn't attend the meeting, however he wanted to extend his support of the project.

Tim Phillips presented the Laveen ADMP and Laveen Area Conveyance Channel as an action item. This Resolution allows for the District to pursue the design and implementation of a conveyance channel in the vicinity of the existing Maricopa Drain and to pursue the Laveen Area Drainage Master Plan to identify and mitigate flooding within the watershed.

Mr. Phillips mentioned that the important thing to keep in mind is that development is occurring very quickly south of the Salt River, west of 43<sup>rd</sup> Avenue. It is important to formalize a course of action to resolve potential flooding by putting agreements into place and making a commitment to these agreements. He acknowledged the diversity of the area with the large landowners and the smaller property owners and the sensitivity to large-scale type projects.

From the City of Phoenix's perspective, the Laveen area and the I-17 Corridor are the fastest growing areas within the City. Rather than delineating a floodplain, which allows the public warning aspect of it, the District may be able to define a way to improve the Maricopa Drain where all the water during the 100-year event is contained within the channel and conveyed down to the Salt River. Rather than let it pond, the water needs to be conveyed out of the area so there is no need for any kind of floodplain designation.

The District initiated the effort to talk with each of the property owners along with SRP and MCDOT to determine if there is a way to get drainage conveyance from 43<sup>rd</sup> Avenue to the River. Recognizing that there is a benefit to the landowners, the District asked them to see what can be done if they contribute the land. The Flood Control District received commitments from the landowners that they are part of the process for which Mr. Phillips felt is the ultimate of a public/private partnership.

Mr. Phillips mentioned that the purpose of the Laveen Area Drainage Master Plan (ADMP) is to identify drainage problems. The difference between the ADMP and the Conveyance Channel is that the ADMP is looking at solutions for the entire watershed and how this study can help fix flooding problems as a whole.

Staff recommends that the FCAB endorse and recommend to the Board of Directors to adopt this Resolution in order to further efforts to mitigate and /or eliminate flooding and the need for delineation of floodplains in the Laveen area.

#### Discussion:

*Long:* What parties are concerned where you mention the commingling of waters?

*Phillips:* That would include the Flood Control District, Salt River Project and the Gila River Indian Community. The issue is that right now the Maricopa Drain conveys agricultural tail water. Because it's at the low spot of the entire area, it also takes a significant amount of floodwater. We need to deal with that commingling issue. And then, if indeed, the Maricopa Drain alignment is used as a way to deliver Indian Settlement Water Rights water to the Gila River Indian Community, then you have a better water delivery system. We need to figure out if that will be necessary and how we can account for it. Ideally it would be nice if we could put it into the low flow channel that's in our flood control channel and convey it to where it's necessary, but there may be some commingling issues that we have to resolve.

*Long:* How is that going to happen?

*Phillips:* The first step is to find out if that is necessary. The second step is to determine what is the solution. There are several other water resources in that area. The current obligation is that there is a deep well pump there that is used to meet the Indian contract delivery requirements. There are other pumps in the area and it might be that we could just utilize another water resources rather than commingle. Worse case is that maybe we would then provide a pipeline that takes that delivery water and gets it to the point where it's delivered to the Indians.

*Long:* You see this as an issue that will be resolved?

*Phillips:* Absolutely.

*Patel:* With the study being completed next fall and this project being under construction prior to that, how does that work? Does the study not need to be done before you go into construction?

*Phillips:* In a sense, they are two separate projects but they are related. In a normal process, we would go out and conduct an Area Drainage Master Plan and identify all the basins/channels improvements that are necessary and fit that into the CIP and then work those particular channels. In this case, because of the developments occurring and the opportunity we have with the landowners and the City that we've been able to achieve in the last seven months, we see this piece as a needed component regardless of what you do. The Maricopa Drain is the natural, low-lying outfall for that entire area. If we can get it now then we have the outfall for the watershed solution. If we did the Area Drainage Master Plan and waited for that component, we might find that in three to five years that we no longer have the opportunity that we have now.

*Patel:* Is there any risk that during the course of the study that what is constructed may need to be changed?

*Phillips:* No, because the channel is being sized for the 100-year, 24-hour watershed storm using the watershed model that we already have.

*Rogers:* This project starts on the east side of my property, some of which I have under contract in escrow. Am I suppose to vote?

*Lemmon:* You might wish to abstain for cause because of your connection to it. If you abstain without cause it's a 'no' vote; because you have a reason for abstaining, no vote is counted one way or the other. I suggest you abstain.

*Martin:* The minutes will reflect that you abstain from voting on this item. They will need to reflect that I abstain from voting too because I have property in the area.

*Callow:* I'd like to echo some comments that Supervisor Wilcox made. Tim has done an outstanding job on this project of keeping it moving. He's bird-dogged it and worked with everybody out there. We would not be here today if it had not been for his perseverance and ability. He's really been outstanding.

MR. PATEL MADE A MOTION TO APPROVE STAFF RECOMMENDATION. MR. CALLOW SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY WITH MR. MARTIN AND MR. ROGERS ABSTAINING FOR CAUSE.

Mr. Ellegood mentioned that in his opinion this project is a unique opportunity to get ahead of development. Not only to put in facilities that will keep people safe, but also to fold these into the development and become an element of the character of that neighborhood, to become a permanent recreation and open space facility for all the residents to enjoy for many years to come. Mr. Ellegood added that for the first time since he's been with the District, several public agencies, the Flood Control District, City of Phoenix Parks, Street Transportation & Planning Departments, MCDOT, and the Salt River Project, as well as many property owners, have come together and said this is good for everybody.

Mr. Ellegood commented that Mr. Callow's comments are well received. Tim Phillips has bird-dogged this and has done an exceptionally fine job. It would have been a lot more difficult if he hadn't had the cooperative support of people from both the Salt River Project and the City of

Phoenix as well as the developers out there. He stated that the project has received tremendous support from Supervisor Wilcox as well as the Vice-Mayor for the City of Phoenix. In addition, he mentioned the good work from the behind-the-scenes staff, which included Michael Lopez and Valerie Swick. Mr. Ellegood stated that he would like to see this project get through and get built and can say to everybody, "Look what we did when we worked together."

3) Glendale/Peoria Area Drainage Master Plan (ADMP) Update and North Peoria ADMP.

Marilyn DeRosa presented IGA FCD 2000A015 with the City of Peoria for cost sharing for the planning, analysis, and preparation of the Glendale/Peoria ADMP Update and the North Peoria ADMP studies.

Ms. DeRosa explained that in the Glendale/Peoria ADMP Update, the District will update an existing study done in May 1987 in order to identify current drainage problems and to develop cost-effective solutions to alleviate known and potential flooding problems. The North Peoria ADMP will be a true planning tool. It will provide the District with the opportunity to implement non-structural solutions for flood control. It will also provide the District with a comprehensive drainage plan that will be out ahead of development. Ms. DeRosa indicated that the City of Peoria requested acceleration of the studies and offered cost-sharing assistance totaling \$300,000.

Staff recommends that the FCAB approve and recommend that the Board of Directors approve IGA FCD 2000A015.

MR. CALLOW MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS. MS. LONG SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY WITH MR. MARTIN ABSTAINING FOR CAUSE.

4) Bethany Home Outfall Channel.

Scott Vogel presented the Bethany Home Outfall Channel as an action item, amending Resolution FCD 98-12, which expands the Bethany Home Outfall Channel Project to include additional segments.

Mr. Vogel mentioned that some of the studies that have been performed on this project include the Glendale/Peoria ADMP. He pointed out that some of the flooding issues the District is dealing with in the area include the floodplain along the Grand Canal. There are approximately 745 homes that are in the floodplain between 75<sup>th</sup> and 64<sup>th</sup> Avenues. In addition, the District realized that the Grand Canal overtops during large storm events, causing sheetflow flooding south of the canal. Mr. Vogel added that this project will also provide drainage and drainage outfall for the downtown Glendale area.

Mr. Vogel noted that the three major components that have been reviewed in the last year in the pre-design study are the Bethany Home Outfall Channel, a 100-year facility along the Grand Canal, and 10-year storm drains in Bethany Home Road and Camelback Road.

Mr. Vogel explained that this Resolution Amendment adds additional segments to the Phase II of this project. The Amendment authorizes the negotiation of IGAs, design and rights-of-way acquisition for the two storm drains and a short extension of the authorized Outfall Channel project – instead of ending at 67<sup>th</sup> Avenue, it would end at 64<sup>th</sup> Avenue. Making this connection to the Sunset Detention Basin increases the level of protection of the basin from a 10-year to a 100-year storm event.

The estimated total project cost for construction, design, rights-of-way acquisition and construction management is \$67 million. The Flood Control District would fund approximately half of these monies; the Cities of Glendale and Phoenix would fund the other half.

Staff recommends that the FCAB approve and recommend that the Board of Directors adopt Resolution 89-12A, which will expand the Bethany Home Outfall Channel Project to include additional segments, and authorizes the negotiation of IGAs, design and rights-of-way acquisition for these additional segments.

Discussion:

*Martin:* How did these houses get built in a floodplain? Why do the cities allow homes to be built in a floodplain?

*Callow:* I think they were all built in the County before it was annexed. Most of Maryvale was built under County regulations and then annexed by the City of Phoenix. I think the answer to your question is that the floodplain wasn't delineated at that point in time.

*Ellegood:* We don't have land-use authority in the District. We can say it's a floodplain and we have a duty to warn.

*Martin:* How many houses are we going to buy on this?

*Vogel:* The pre-design study has identified up to 75 homes that need to be purchased. The homes are about 30 years old. I will be able to go into more detail when the pre-design study is finalized next month. Prior to next month's presentation, I will look into when the floodplain was delineated and the jurisdiction at the time.

*Rogers:* The number of homes on the new deal that would be purchased and destroyed, is that the 75 figure?

*Vogel:* That is correct. What we tentatively identified is the number of homes we have to acquire to put this solution in place. Those homes happen to be up against the Grand Canal and are some of the first to be flooded.

*Long:* I need to abstain from this vote.

*Rogers:* If you surveyed those people who live in the 75 homes, would they rather move or stay there and be flooded?

*Vogel:* We have had quite a bit of input in the past year. During the pre-design study, we had a series of three pairs of public meetings over the last year. There are a few residents that have approached me with large concerns about being bought out, generally because of their financial situation and they're concerned about being able to purchase another home. We've provided them with information from our Lands Division about how the process works if and when we do acquire homes. Generally, the attitude is, if we are going to be bought out, they'd like it to happen as quickly as possible and not be held in limbo. That is one of the reasons we are trying to move forward as quickly as possible.

*Rogers:* When you appraise those, does the appraiser appraise them as a replacement figure? How do you decide on the amount of money that you pay for them? Is it a replacement cost?

*Lemmon:* The District follows the Federal relocation requirements, so the house would be appraised at the market value of the house. In the relocation program, people who are facing a huge interest rate differential, etc., through the relocation regulations, they are made whole in those ways. It kind of mitigates the impact that it might have on them to make a move.

*Vogel:* In addition, relocation costs are repaid for when someone has to move.

*Saager:* So, there are 750 homes that are affected with the flooding?

*Vogel:* There are 745 homes in the FEMA delineated 100-year floodplain. We realize from the past storms, for example the 1963 storm, that there could be thousands of homes potentially flooded in the area.

*Saager:* So it exceeds 700 substantially then?

*Vogel:* Yes. As I showed you in the 1963 flooding limits, there is currently over 1200 homes in those flooding limits. Now, the flooding today, from a storm similar to what happened in 1963, is likely to be different, but that gives us an idea of how many homes could be impacted.

*Saager:* Has there been another flood since 1963 that has really affected these homes? Not to the degree of 1963, but another flood that you've studied.

*Vogel:* There was another major flood in 1992 that was centered more to the east, but unfortunately wasn't documented as well as this flood was.

*Callow:* All the houses at Sunset Basin had water in them.

*Martin:* In 1987 too.

*Vogel:* I can provide you with a map showing rainfall depths that occurred from that 1992 storm, but I don't think we have flooding limits mapped out.

MR. PATEL MADE A MOTION TO APPROVE STAFF RECOMMENDATIONS. MR. SAAGER SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY WITH MS. LONG ABSTAINING FOR CAUSE.

5) Approved FY 00/01 Budget and FY 99/00 Results.

Joe Young presented the Approved FY 00/01 Budget and the FY 99/00 Results for information and discussion only.

Mr. Young indicated that the Board of Directors adopted the FY 00/01 Budget on June 22, 2000. The budget shows a \$45 million tax revenue request, add to that Participation, Interest, License Fees and Other, for a total revenue of \$72.9 million. On August 21, 2000 the Board of Directors/Supervisors set the tax rate. In the meantime, something happened to the assessed evaluation and it decreased a little bit so that the tax rate that had been applied to it is actually going to generate \$44.5 million or about \$0.5 million less than what we had requested. Mr. Young noted that total estimated expenditures were at \$89 million; the biggest percentage of this is in our CIP.

Mr. Young went over the results of revenue and expenditures for the FY 99/00 Budget. He noted that the miscellaneous revenue collected was over budget because of the disaster revenue we received from FEMA for the 1993 storm. In expenditures, we expended about 96% of our CIP.

Discussion:

*Martin:* Have you worked out how you are going to work around the \$0.5 million shortfall?

*Ellegood:* We have this year about a \$26 million fund balance. The reduced tax revenue will be made up out of the fund balance. Our fund balance at this time last year was \$36 million; it's down to about \$26 million this year, which reflects expenditures made primarily in the CIP.

Given projections that we've made and what we believe will happen with our CIP over the next several years, that fund balance is going to be depleted in probably two to three years.

6) Northwest County Planning Overview.

Doug Williams, Project Manager, provided the Advisory Board with an update of existing planning efforts in the Northwest Valley and an overview of future planning efforts for the Northwest Valley.

Mr. Williams mentioned that the District's planning goals for the Northwest Valley are to anticipate development, identify and mitigate floodplains, identify regional flood control facilities, and to provide the CIP with justified projects. He further remarked on the Watercourse Master Plan for the Agua Fria River and New River. The primary master plan goals are to:

- ✍ protect from 100-year flood and lateral migration
- ✍ consider structural & non-structural alternatives
- ✍ reduce public funds spent on flood control and emergency management
- ✍ consider sensitive habitats and cultural resources in the evaluation of structural and non-structural alternatives
- ✍ consider multiple-use activities for floodplain areas
- ✍ develop a widely supported floodplain management plan

7) Comments from the Chief Engineer and General Manager.

Ms. Lemmon introduced Jean Rice. Ms. Rice is with the County Attorney's office and did condemnation for the District. She also worked for the District doing floodplain and drainage reviews because that is a service the District contracts with the County Attorney's office for because it involves enforcement. Ms. Rice has been promoted to Chief Civil Deputy for Maricopa County, so David Benton will be working with us on the floodplain and drainage reviews in the future. Mr. Ellegood commented that Ms. Rice has been a great supporter of the District and has always been there for us.

Mr. Ellegood thanked the Advisory Board for their approvals today. He mentioned that it is very important to get the new floodplain regulations out and that the District start complying with the state and federal changes. He further thanked the Advisory Board for their support of the Laveen project.

8) Summary of Recent Actions by the Board of Directors

Mr. Ellegood mentioned that the Board approved everything that impacted the Flood Control District.

9) Other Business and Comments from the Public.

Mr. Ellegood asked that a Budget Committee meeting be scheduled to discuss the prioritization of new project requests for our CIP. Mr. Ellegood suggested the committee meet the first week in October and asked that Mr. Martin & Mr. Patel let him know of their availability.

Mr. Ellegood noted that the election of officers is usually conducted the month of October for a one-year term to begin in November. The officers include Chairman, Vice Chairman and Secretary.

The meeting was adjourned at 3:48 p.m. by general consent.

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Shirley Long  
Secretary of the Board

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Kathy Smith  
Clerk of the Board